

COMBINED DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION

As a below-named inventor, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to our name.

We believe we are the original and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled **COMPOSITIONS AND METHODS FOR THE MODIFICATION OF GENE EXPRESSION**, which is identified as Attorney Docket Number 11000.1036c5 of the law firm SPECKMAN LAW GROUP, and of which the specification

[] is attached hereto.

[X] was filed on **November 6, 2003** as Application No. 10/_____.

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information, which is material to patentability, as defined in Title 37, Code of Federal Regulations, § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

We hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed: **NONE**.

We hereby claim the benefit under Title 35, United States Code, § 119(e) and § 120 of any United States application(s) or provisional application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, and we acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application: **U.S.**

Patent Application No. 10/291,447, filed November 8, 2002, which is incorporated by reference herein in its entirety, which claims priority to U.S. Provisional Patent Application 60/345,397, filed November 9, 2001; priority to U.S. Provisional Patent Application No. 60/425, 087, filed November 8, 2002, which is incorporated herein by reference; priority to U.S. Patent Application No. 10/137,036, filed April 30, 2002, which claims priority to U.S. Patent Application No. 09/276,599, filed March 25, 1999 (now U.S. Patent No. 6, 380,459) and priority to U.S. Patent Application No. 09/724,624, filed November 28, 2000 (now abandoned), which is a CIP of U.S. Patent Application No. 09/598,401, filed June 20, 2000 (now U.S. Patent No. 6,596,925), which claims priority to International Patent Application No. PCT/NZ00/00018, filed February 24, 2000 and to U.S. Provisional Patent Application No. 60/146,591, filed July 30, 1999, and is a CIP of U.S. Patent Application No. 09/276,599, filed March 25, 1999 (now U.S. Patent No. 6, 380,459).

We hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

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We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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